

UNDER SEAL

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	Criminal No. 20-cr-10098
)	
v.)	Violations:
)	
BRIAN GILBERT,)	<u>Count One</u> : Conspiracy to Commit
STEPHANIE POPP,)	Cyberstalking
STEPHANIE STOCKWELL, and)	(18 U.S.C. § 371)
VERONICA ZEA,)	
)	<u>Count Two</u> : Conspiracy to Tamper with a
)	Witness
Defendants)	(18 U.S.C. § 371)

INFORMATION

At all times relevant to this Information:

General Allegations

1. eBay was a multinational ecommerce business listed on the Fortune 500. eBay operated marketplaces that connected online sellers and their customers.
2. James Baugh (“BAUGH”), a coconspirator not charged as a defendant in this Information, lived in San Jose, California. BAUGH was eBay’s Senior Director of Safety & Security. He ran eBay’s Global Security and Resiliency (“GSR”) business, a company division responsible for, in general terms, the physical security of eBay’s employees and facilities worldwide.
3. Defendant Stephanie Popp (“POPP”) lived in San Jose, California. POPP was eBay’s Senior Manager of Global Intelligence. She served as BAUGH’s de facto chief of staff. Before May 2019, POPP managed eBay’s Global Intelligence Center (“GIC”), an intelligence and analytics group within the GSR that supported eBay’s security operations.

4. Defendant Stephanie Stockwell (“STOCKWELL”) lived in Redwood City, California. STOCKWELL was an intelligence analyst in the GIC who became its manager in mid-2019, when eBay assigned POPP to work directly with BAUGH.

5. Defendant Veronica Zea (“ZEA”) lived in Santa Clara, California. ZEA was an eBay contractor who worked as an intelligence analyst in the GIC.

6. Defendant Brian Gilbert (“GILBERT”) lived in San Jose, California. GILBERT was a Senior Manager of Special Operations for eBay’s Global Security Team. A former police captain in Santa Clara, California, GILBERT was responsible for, among other things, executive protection, special events security, and safety at eBay’s North American offices.

7. David Harville (“HARVILLE”), a coconspirator not charged as a defendant in this Information, lived in Gilroy, California. HARVILLE, who reported directly to BAUGH, was eBay’s Director of Global Resiliency, a unit focused on ensuring that eBay could continue to operate worldwide after business disruptions, such as security threats, political unrest, or natural disasters.

8. Victim 1 lived in Natick, Massachusetts. Victim 1 was a reporter and editor of an online newsletter (“the Newsletter”) that covered ecommerce companies, including eBay. Victim 1 used a Twitter account in the Newsletter’s name to promote her reporting.

9. Victim 2 lived in Natick and was married to Victim 1. He was the Publisher of the Newsletter.

10. Several eBay executives perceived a threat to eBay’s public image in the Newsletter’s coverage.

11. The defendants and their coconspirators knew that some in eBay’s senior

leadership disliked both the Newsletter's content and comments that the Newsletter's readers posted underneath Victim 1's articles.

12. In August 2019, as described below, the defendants and their coconspirators engaged in an extensive harassment campaign targeting Victims 1 and 2. The campaign included sending threatening communications to the Victims, ordering unwanted and disturbing deliveries to their home, and ZEA, HARVILLE, BAUGH, and POPP travelling to Natick to surveil the Victims in their home and community.

13. After the Victims spotted one of the surveillance teams, the Natick Police Department ("NPD") investigated, connected ZEA and HARVILLE to eBay, and reached out to eBay for assistance.

14. When BAUGH, GILBERT, HARVILLE, POPP, STOCKWELL, and ZEA learned that the NPD was making inquiries, they took steps described below to prevent the NPD from learning about the harassment campaign.

Overview of the Cyberstalking Conspiracy

15. Beginning on or about August 5, 2019 and continuing through at least August 23, 2019, defendants GILBERT, POPP, STOCKWELL, and ZEA conspired with BAUGH, HARVILLE, and others to harass Victim 1 and Victim 2 through repeated and hostile Twitter messages, deliveries of unwanted—and in some instances disturbing—items to the Victims' home, and physical surveillance. The defendants and their coconspirators intended to cause the Victims distress and to distract them from publishing the Newsletter. After they caused such distress, GILBERT contacted Victim 1, identified himself as an eBay employee, claimed that the company had seen and was concerned by the online harassment of the Victims, and offered

eBay's help. In essence, the plan was for eBay to arrive to "rescue" the Victims from the very harassment that the defendants and their coconspirators had themselves created in order to earn the Victims' good will (hereinafter referred to as the "White Knight Strategy"). The defendants and their coconspirators believed that the cyberstalking campaign would curtail both the Newsletter's coverage of eBay and the anonymous comments beneath it, and thereby please eBay's senior management.

Object and Purpose of the Cyberstalking Conspiracy

16. The object and purpose of the conspiracy was to engage in a cyberstalking campaign targeting the Victims, to harass them, and to create an opportunity for eBay (through GILBERT) to approach the Victims, offer assistance, and create a positive impression of eBay that would be reflected in Victim 1's reporting in the Newsletter.

Manner and Means of the Cyberstalking Conspiracy

17. Among the manner and means by which defendants GILBERT, POPP, STOCKWELL, and ZEA conspired with BAUGH, HARVILLE, and others to carry out the cyberstalking conspiracy were the following:

- a. Creating Twitter accounts in false names and using them to send harassing messages to and about Victim 1 and the Newsletter.
- b. Selecting ominous Twitter account names and profile photos.
- c. Sending private and threatening direct messages ("DMs") to Victim 1's Twitter account.
- d. Publicly posting the Victims' home address on Twitter, while suggesting in a threatening manner that eBay sellers who were angry about the Newsletter's coverage should visit the Victims' home.
- e. Sending unwanted and scary items and services to the Victims' home, and items intended to embarrass the Victims to their neighbors' addresses.

- f. Posting online advertisements for fictitious events at the Victims' home to encourage others to visit them there.
- g. Signing the Victims up for unwanted emails and online newsletters.
- h. Traveling to Boston and to Natick to surveil the Victims in their home and in their community.
- i. Disguising their role in the conspiracy by ordering the harassing deliveries with burner cell phones and laptops, VPN services, overseas email accounts, and prepaid debit cards purchased with cash.

Overt Acts in Furtherance of the Cyberstalking Conspiracy

18. From on or about August 5, 2019 and continuing through at least August 23, 2019, defendants GILBERT, POPP, STOCKWELL, and ZEA, along with BAUGH, HARVILLE, and others, committed and caused to be committed the following overt acts, among others, in furtherance of the conspiracy:

- a. On August 6, 2019, at a San Jose, California Best Buy, STOCKWELL purchased a laptop computer for use in the harassment campaign.
- b. On August 6, 2019, POPP created a Twitter Account in the name of "@Tui_Elei" that used a picture of a skeleton mask as a profile picture.
- c. On August 7, 2019, POPP sent the following DMs to Victim 1's Twitter account:
 - "[Victim 1's First Name]...whats your problem w/ebay? You know that's how we pay rent."
 - "HELLO!!!!!!!!"
- d. On August 8, 2019, ZEA purchased prepaid debit cards with cash at a Safeway in Santa Clara, California for use in ordering harassing deliveries.
- e. On August 9, 2019, POPP sent the following DMs to Victim 1's Twitter account:
 - "WTF...whats it goin to take for u to answer me??"

- I guess im goin to have to get ur attention another way bitch...
 - U don't have the balls to talk to me?? Stop hiding behind ur computer screen u fuckin cunt!!!"
- f. On August 9, 2019, STOCKWELL used a Protonmail account created for the conspiracy to order online live spiders for delivery to the Victims' home.
- g. On August 9, 2019, one or more members of the conspiracy ordered a subscription for pornographic magazines in the name of Victim 2 to be sent to the Victims' neighbors.
- h. On August 9, 2019, one or more members of the conspiracy ordered a pig fetus for delivery to the Victims' home.¹
- i. On August 10, 2019, one or more members of the conspiracy ordered a Halloween Pig Mask for delivery to the Victims' home.
- j. On August 10, 2019, POPP sent the following DM to Victim 1's Twitter account:
- "DO I HAVE UR ATTENTION NOW????"
- k. On August 11, 2019, POPP sent the following DMs to Victim 1's Twitter account:
- "Ur fat fuck pussy husband [Victim 2's first name] needs to put u in line cunt."
 - "after he takes the plugs out of his asshole...fuckin pussies!!!"
- l. On August 12, 2019, one or more members of the conspiracy sent a book titled "Grief Diaries: Surviving Loss of a Spouse" to the Victims' home.
- m. On August 12, 2019, POPP used the "@Tui_Elei" Twitter account to post to Victim 1's Twitter account "[Victim 1]...wats ur problem with ebay??"
- n. On August 12, 2019, POPP used the "Tui_Elei" Twitter account to post to Victim 1's Twitter account "many familys including mine make money 2

¹ The delivery was flagged by the retailer, who called the Victims' home, asking about their purchase. When the Victims denied making the purchase, it was cancelled.

pay 4 food cloths and rent by selling on ebay...UR stupid idkiot comments r pushin buyers away from ebay and hurtin familys!!! STOP IT NOW!!!"

- o. On August 13, 2019, one or more members of the conspiracy used a prepaid debit card to order a funeral wreath for delivery to the Victims' home.
- p. On August 14, 2019, one or more members of the conspiracy ordered roaches for delivery to the Victims' home.
- q. On August 14, 2019, POPP used the @Tui Elei Twitter account to post a public message to Victim 1's Twitter account, "[First name of Victim 1] wen u hurt our bizness u hurt our familiys...Ppl will do ANYTHING 2 protect family!!!!"
- r. On August 14, 2019, ZEA booked hotel rooms at the Ritz Carlton hotel in Boston, Massachusetts and rented vehicles in Boston, Massachusetts.
- s. On August 14, 2019, BAUGH, HARVILLE, ZEA, GILBERT, and POPP met to discuss the trip to Boston to surveil the Victims.
- t. On August 15, 2019, BAUGH, HARVILLE, and ZEA flew from California to Boston, Massachusetts.
- u. On August 17, 2019, one or more members of the conspiracy called a Boston, Massachusetts restaurant that is open 24 hours and ordered pizza to be delivered to the Victims' home at 4:30 a.m., for payment upon delivery.
- v. On August 17, 2019, one or more members of the conspiracy called a suburban restaurant near the Victims' home and ordered pizza to be delivered at 11:00 p.m.
- w. On August 18, 2019, POPP sent the following DM to Victim 1's Twitter account:
 - "U get my gifts cunt!!??"
- x. On August 18, 2019, POPP replied to a public tweet on Victim 1's Twitter account using the @Tui Elei account and stated: "Dis ur address???". The message was followed by information about Victim 1, accurately stating her name, age, address, and telephone number.
- y. On August 18, 2019, one or more members of the conspiracy posted an advertisement on Craigslist claiming to be a married couple seeking a sexual partner or partners, and providing the Victims' home address.

- z. On August 20, 2019, one or more members of the conspiracy caused strangers to arrive at the Victims' home by posting an advertisement on yardsalesearch.com that the Victims were "moving out of the country soon and are trying to get rid of as many of our possessions as possible. ... If we are not outside, feel free to knock on the door. Maybe we can make a deal if you see something you like."
- aa. On August 20, 2019, after Twitter suspended the coconspirators' @Tui_Elei account for posting the Victims' home address, POPP created a second Twitter account, @Elei_Tui, and used it to post more threatening messages on Victim 1's Twitter account.
- bb. On August 20, 2019, POPP also created two other Twitter accounts, including one that used the name of a prominent eBay seller. These new accounts, which used an image of a pig mask and an image of a screaming mask as profile pictures, exchanged threatening public tweets about Victim 1 with the @Elei_Tui account, all to give the impression that several eBay sellers were upset with the Victims over the Newsletter's coverage of eBay.
- cc. On August 21, 2019, GILBERT sent WhatsApp communications to POPP proposing threatening messages that could be sent from the newly created Twitter accounts described above.
- dd. On August 21, 2019, POPP used two of the Twitter accounts that she had created to have a public "conversation" on Twitter, asking one what Victim 1's address was, and responding as the other "guest I hav to pay [Victim 1] a visit."
- ee. On August 21, 2019, consistent with the White Knight Strategy, GILBERT called the Victims, identified himself as an eBay employee, and offered eBay's assistance.
- ff. On August 22, 2019, POPP used one of the new Twitter accounts to post "[Newsletter] 20 yrs of lies n distroin familys... dunt b proud of dat u wurthless BITCH!!! i wil distroy ur family n bizness 2... C how u like it...\n\n@Elei_Tui wen r we goin 2 visit her in natik???"
- gg. On August 23, 2019, one or more members of the conspiracy caused a woman to visit the Victims' home and identify herself as an "early bird" for a yard sale the next day.

Overview of the Obstruction Conspiracy

19. From on or about August 16, 2019 and continuing through at least on or about September 6, 2019, defendants GILBERT, POPP, STOCKWELL, and ZEA conspired with BAUGH, HARVILLE, and others to obstruct the Natick Police Department's investigation.

Object and Purpose of the Obstruction Conspiracy

20. The object of the conspiracy was to obstruct justice by engaging in misleading conduct toward law enforcement officers in the Natick Police Department with intent to hinder, delay, or prevent the communication to a law enforcement officer of the United States of information relating to the commission and possible commission of a federal offense. The purpose of the conspiracy was to prevent law enforcement from uncovering the coconspirators' and eBay's connection to the cyberstalking campaign and related conduct.

Manner and Means of the Obstruction Conspiracy

21. Among the manner and means by which defendants GILBERT, POPP, STOCKWELL, and ZEA conspired with BAUGH, HARVILLE, and others to carry out the obstruction conspiracy were the following:

- a. making false statements to NPD personnel who were investigating the threatening communications, harassing deliveries, and surveillance of the Victims;
- b. communicating by WhatsApp regarding how to respond to the NPD investigation;
- c. having GILBERT speak, email, text message, and meet with the NPD, to deflect through false statements any connection between eBay and the cyberstalking campaign;
- d. creating and sending to GILBERT a "dossier" of documents that he could use in an NPD meeting, both to support the White Knight Strategy and to deflect investigative attention from eBay;

- e. Exchanging ideas as to how best to thwart the NPD investigation, including creating false suspects, continuing the harassing deliveries, fabricating cover stories, and intervening with any San Jose area police that the NPD contacted to further its investigation; and
- f. Deleting the contents of cell phones, text messages, and social media accounts that evidenced the cyberstalking campaign and the defendants' and coconspirators' efforts to obstruct the NPD investigation.

Overt Acts in Furtherance of the Obstruction Conspiracy

22. From on or about August 16, 2019 and continuing through at least September 6, 2019, defendants GILBERT, POPP, STOCKWELL, and ZEA, along with BAUGH, HARVILLE, and others, committed and caused to be committed the following overt acts, among others, in furtherance of the conspiracy:

a. On August 21, 2019, ZEA and BAUGH made false statements to an NPD detective who arrived at the Boston hotel (where the surveillance team was then staying) to investigate ZEA and HARVILLE's connection to the cyberstalking campaign.

b. On August 21, 2019, defendants and their coconspirators made the following statements in a group discussion over WhatsApp:

- GILBERT: "The more I thought about it I do think we should bring a dossiers on the [Victims] to the PD. Definitely want to make them look crazy.

- BAUGH: "I agree."

- POPP: "Copy re dossiers"

* * *

- BAUGH: Natick detective is in lobby looking for Ronnie [ZEA]. I've taken her away from hotel headed to airport. Detective called

her cell. I answered just now as her husband and played dumb. Told him if he had questions he could talk to me.

- GILBERT: Copy. She used just [name of eBay contractor] stuff no eBay?
- BAUGH: Correct.
- POPP: But her LinkedIn says EBay so I told her to take it down in case they do social media search.

* * *

- GILBERT: “Ronnie was driving around looking for antiques. Must have got lost and they picked up her plate by accident. Can they visually identify her?”

* * *

- BAUGH: “They cannot ident her...I spoke with investigator. He was polite and clueless.”

* * *

- GILBERT: “Good. This is fine. The cops obviously have nothing else to do in Natick. We known the targets have been very impacted by this op. Perfect time for next phase.”

* * *

- BAUGH: “Bring out bad boy out please; these people are wasting our time. It’s go time.”

c. On August 21, 2019, GILBERT, who was on a plane bound for Boston, spoke, text messaged, and emailed with the law enforcement officer who was handing the investigation into the harassment of the Victims. GILBERT falsely claimed not to know ZEA or

HARVILLE and falsely stated that he had to travel to Toronto and New York but would instead attempt to come to Boston to meet with the NPD.

d. On August 21, 2019, after GILBERT spoke to the NPD, defendants and their coconspirators made the following statements in a group discussion conducted over WhatsApp:

- GILBERT: The detective is looking to close this out but can't until he answers this ebay connection. I told the detective I don't know a Zea or Harville but they might be in other unites of global security. I told them that it possible other units are conducting legitimate investigations. I think the best explanation is that intel was attempting initial investigation into POIs [Persons of Interest] and panicked when they got burned. They accidentally ordered pizzas for the surveillance and got sent to the target house. We need to make sure none of the other deliveries can be tracked back to Ronnie [ZEA] and Santa Clara... The detective said the debit card used for the pizza was purchased at a Safeway in Santa Clara..."
- POPP: "Intel unit definitely purchased a bunch of gift cards at Safeway in San Jose."
- BAUGH: "I don't think we deny the investigating, but we are not send omg pizzas to there house that would be silly."
- GILBERT: "I'll give brief the cops on the [Victims] background and make them look like the problem. The cops just want a logical legitimate reason for Ronnie [ZEA] and Harville being here...I told the det I don't know a Veronica Zea or David Harville. Can we confirm our org chart not public so we don't look like idiots when we deny knowing them again? ... We just need to explain away Ronnie [ZEA] and Dave's activities. Adamantly deny any deliveries and put focus on the POIs."
- GILBERT: "I'm going to push the idea that ebay is a massive company and have no interest in the [Victims.] The idea we would send shit to their house is ridiculous."

e. On August 21, 2019, after learning that the NPD was investigating a prepaid debit card obtained in Santa Clara and used to send pizza to the Victims, BAUGH and POPP

directed STOCKWELL to prepare a list of eBay “Persons of Interest” in the San Francisco Bay Area that could be used (as part of GILBERT’s “dossier”) to deflect attention from ZEA.

f. On August 21, 2019, STOCKWELL created the document that BAUGH requested for GILBERT’s “dossier”—“Bay Area POIs_August 2019.docx”—and emailed it to POPP and BAUGH, who immediately emailed it on to GILBERT for use in the NPD meeting.

g. On August 22, 2019, GILBERT and another eBay employee met with three members of the NPD. During the meeting, GILBERT falsely stated that:

- ZEA and HARVILLE had come to Boston to attend a conference;
- GILBERT was not aware of the harassment of the Victims but was willing to assist in the investigation.
- POPP was ZEA’s supervisor; and
- POPP had assigned ZEA to a Person of Interest investigation regarding the Victims, and that ZEA had driven to Natick “on her own”.

h. On or after August 26, 2019, ZEA, HARVILLE, POPP, GILBERT, and others deleted and attempted to delete data from their phones that evidenced the cyberstalking and obstruction conspiracies, including the WhatsApp messages.

i. On or about September 6, 2019, POPP posted five new Tweets to one of the Twitter accounts that the defendants and their coconspirators had used to harass the Victims, to suggest that those responsible for harassing the Victims were still at large.

COUNT ONE
Conspiracy to Commit Cyberstalking
(18 U.S.C. § 371)

The U.S. Attorney charges:

23. The U.S. Attorney re-alleges and incorporates by reference paragraphs 1 through 22 of this Information.

24. From on or about August 5, 2019 and continuing through at least August 23, 2019, in the District of Massachusetts and the Northern District of California, the defendants,

BRIAN GILBERT,
STEPHANIE POPP,
STEPHANIE STOCKWELL, and
VERONICA ZEA,

conspired with each other and with others known to the United States Attorney to commit an offense against the United States, to wit, cyberstalking, that is, to, with intent to harass and intimidate, use an interactive computer service and an electronic communications service and electronic communication systems of interstate commerce, and any other facility of interstate and foreign commerce, specifically Twitter messages, online delivery orders, and online postings, to engage in a course of conduct that caused, attempted to cause, and would be reasonably expected to cause substantial emotional distress to Victim 1 and Victim 2, in violation of 18 U.S.C. § 2261A(2)(B).

All in violation of 18 U.S.C. § 371.

COUNT TWO

Conspiracy to Tamper with a Witness
(18 U.S.C. § 371)

The U.S. Attorney further charges:

25. The U.S. Attorney re-alleges and incorporates by reference paragraphs 1 through 22 of this Information.

26. From on or about August 16, 2019 and continuing through at least September 6, 2019, in the District of Massachusetts and the Northern District of California, the defendants,

BRIAN GILBERT,
STEPHANIE POPP,
STEPHANIE STOCKWELL, and
VERONICA ZEA,

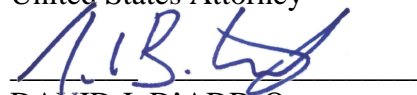
conspired with each other and with others known to the U.S. Attorney to commit an offense against the United States, to wit, obstruction of justice through tampering with a witness, that is, to knowingly engage in misleading conduct toward another person, to wit, law enforcement officers of the Natick Police Department, with intent to hinder, delay, and prevent the communication to a law enforcement officer of the United States of information relating to the commission and possible commission of a Federal offense, in violation of 18 U.S.C. § 1512(b)(3).

All in violation of 18 U.S.C. § 371.

Respectfully submitted,

ANDREW E. LELLING
United States Attorney

By:



DAVID J. D'ADDIO

SETH B. KOSTO

ASSISTANT UNITED STATES ATTORNEYS
DISTRICT OF MASSACHUSETTS

Date: May 22, 2020